REMARKS

Claims 1, 5, 8, 10-22, 26, 33-36, and 39-46 are pending with Claims 11, 13, 15-22, 26, 33-36, and 39-44 withdrawn from consideration. Claim 1 has been amended to delete the phrase "technical power properties".

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 112, second paragraph

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for the recitation of a "technical power properties". This phrase has been deleted from claim 1. Reconsideration and withdrawal of this rejection are requested.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 5, 8, 14 and 45 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 4,880,687 to Yokoyama et al. (hereinafter "Yokoyama".) Applicants respectfully traverse this rejection.

Claim 1 is directed to a coating made of a film formed on the basis of at least one polymer material that includes at least one property-changing component embedded in a matrix of the polymer material, the film comprising several layer-like areas, at least one of the layer-like areas includes the property-changing component, and a concentration of the property-changing component embedded in one of the layer-like areas varies in a direction of a thickness of one of the layer-like areas, wherein the coating is disposed on a workpiece, wherein the property-changing component changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, technical power properties, or the ability to be cleaned, hardened or recycled.

Yokoyama is directed to a magnetic recording medium wherein a metal magnetic layer and an overcoat are disposed on a nonmagnetic substrate. In one embodiment, the topcoat comprises a "thin plasma- polymerized film containing carbon and fluorine, or carbon, fluorine,

and hydrogen". (Col. 14, ll. 64-66)

In making the rejection, the Examiner equates the fluorine in the top coat layer with the Applicants' property changing component. The Examiner further states that the "concentration of fluorine in the topcoat layer impacts the durability of the film". (May 11, 2004 Office Action, page 4). The topcoat film is formed such that "the atomic ratio of fluorine to carbon (F/C) increases toward the surface of the film". (Col. 15, ll. 55-56) "The presence of a fluorine rich surface region in the topcoat film increases the durability of the medium". (Col. 16, l. 6-7)

The present claims are directed to a coating comprising a property changing component "wherein the property-changing component changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, technical power properties, or the ability to be cleaned, hardened or recycled". Applicants submit that this element is missing from Yokoyama. The Examiner equates the fluorine of the topcoat of Yokoyama with the property changing component of the present application. As discussed by the Examiner, the fluorine of the topcoat of Yokoyama increases durability of the film.

There is no teaching or suggestion in Yokoyama that the fluorine "changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, or the ability to be cleaned, hardened or recycled". Thus, Yokoyama does not teach the property-changing component as it is claimed in the present Application. The Examiner maintains that the fluorine of Yokayama meets this limitation because the fluorine results in an increase in durability which the Examiner equates with a change in impact resistance. Applicants do not equate durability with impact resistance and request that the Examiner provide a technical basis for this assertion.

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Varient Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987). Because Yokoyama does not teach a property-changing component "wherein the property-changing component changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, or the ability to be cleaned, hardened or recycled", Yokoyama is missing at least one element of the present claims.

Yokoyama thus fails to anticipate the present claims. In addition, Yokoyama does not teach the fluorine in the topcoat layer can be used to affect properties other than durability. Yokoyama also fails to render obvious Applicants' property-changing component "wherein the property-changing component changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, technical power properties, or the ability to be cleaned, hardened or recycled".

Because all of the pending claims depend from claim 1, and claim 1 is not anticipated by Yokoyama, it is submitted that the claims that depend from claim 1 are also not anticipated by Yokoyama.

Claims 1, 5, 8, 10, 12, 14, 45 and 46 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 5,480,685 to Suzuki et al. (hereinafter "Suzuki".) Applicants respectfully traverse this rejection.

Suzuki teaches a magnetic recording medium comprising a substrate which the Examiner equates with the Applicants workpiece. As described above, the Applicants' property changing component "changes at least one surface property of the group consisting of sealing capacity, stretch resistance, impact resistance, compatibility with lubricants, dyes and hydraulic media, or the ability to be cleaned, hardened or recycled". There is no teaching or suggestion that the metal particles of Suzuki will change any of the foregoing properties. Thus, Suzuki does not teach the property-changing component as it is claimed in the present Application. The Examiner maintains that the metal particles of Suzuki meets this limitation because the metal particles are hard, and according to the Examiner, will change the impact resistance of the film. Presumably, any effect of the particles on the properties of the film will depend, at least in part, onb both the identity and concentration of the particles. Applicants request that the Examiner provide a technical basis for this assertion.

For at least the foregoing reasons, reconsideration and withdrawal of the rejections under 35 U.S. C. § 102(b) are requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly,

reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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